

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NIVAGEN PHARMACEUTICALS, INC.,

Plaintiff,

v.

AMNEAL PHARMACEUTICALS, INC.,
AMNEAL PHARMACEUTICALS of NEW
YORK, LLC, AMNEAL
PHARMACEUTICALS LLC, AMNEAL
PHARMACEUTICALS PVT LTD., AND
AMNEAL EU, LTD.,

Defendants.

Civil Action No. 24-0846-GBW

MEMORANDUM ORDER SETTING REQUIRED BOND AMOUNT

AND NOW this 24th day of September 2024, the Court having entered a Memorandum Opinion (D.I. 61) and Order (D.I. 62) granting Plaintiff Nivagen Pharmaceuticals, Inc.'s Motion for a Temporary Restraining Order and for a Preliminary Injunction (D.I. 12), and having reviewed and considered the parties' respective supplemental briefing on the amount of the required bond (D.I. 57, 58, 59), pursuant to Federal Rule of Civil Procedure 65(c), IT IS HEREBY ORDERED THAT, **on or before October 1, 2024**, Plaintiff Nivagen Pharmaceuticals, Inc. shall post bond secured in the amount of **\$30,000,000.00 (Thirty Million Dollars)** and shall provide the Court and Defendant with evidence that the bond has been posted. The bond amount shall remain in effect during the pendency of this action or until further Order of the Court. In the event that Plaintiff Nivagen Pharmaceuticals, Inc. fails to post the bond as required herein, the temporary

restraining order and/or preliminary injunction may be withdrawn or terminated by Order of the Court.



GREGORY B. WILLIAMS
UNITED STATES DISTRICT JUDGE